

MEMORANDUM

Agenda Item No. 4(D)

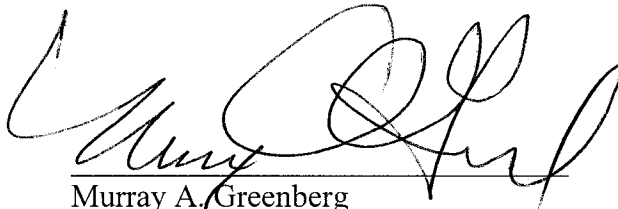
TO: Honorable Chairman Bruno A. Barreiro
and Members, Board of County Commissioners

DATE: June 26, 2007

FROM: Murray A. Greenberg
County Attorney

SUBJECT: Ordinance amending
Sec. 2-8.2.10 of the Code
related to procurement
procedures for contracts
funded by GOB program

The accompanying ordinance was prepared and placed on the agenda at the request of Commissioner Katy Sorenson.



Murray A. Greenberg
County Attorney

MAG/bw



MEMORANDUM

(Revised)

TO: Honorable Chairman Bruno A. Barreiro
and Members, Board of County Commissioners

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SUBJECT: Agenda Item No. 4(D)

Please note any items checked.

- ☒ "4-Day Rule" ("3-Day Rule" for committees) applicable if raised
- ☒ 6 weeks required between first reading and public hearing
- ☒ 4 weeks notification to municipal officials required prior to public hearing
- ☐ Decreases revenues or increases expenditures without balancing budget
- ☐ Budget required
- ☐ Statement of fiscal impact required
- ☐ Bid waiver requiring County Manager's written recommendation
- ☐ Ordinance creating a new board requires detailed County Manager's report for public hearing
- ☐ Housekeeping item (no policy decision required)
- ☐ No committee review

Approved _____ Mayor
Veto _____
Override _____

Agenda Item No. 4(D)

6-26-07

ORDINANCE NO. _____

ORDINANCE AMENDING SECTION 2-8.2.10 OF THE CODE OF MIAMI-DADE COUNTY RELATED TO PROCUREMENT PROCEDURES FOR CONTRACTS RELATED TO PROJECTS FUNDED IN WHOLE OR IN PART BY BUILDING BETTER COMMUNITIES GENERAL OBLIGATION BOND PROGRAM FUNDS; PROVIDING SEVERABILITY, INCLUSION IN THE CODE AND EFFECTIVE DATE

WHEREAS, Section 2-8.2.10 of the Code of Miami-Dade County (the “Code”) provides that if a project funded in whole or in part by Building Better Communities General Obligation Bond Program funds (“BBC GOB Funds”) is constructed by any municipality on behalf of the County, the provisions of Section 2-10.4.01 and Section 10-33.02 of the Code, respectively, shall apply to such project unless the municipality elects to apply the requirements of its own small business program(s) to the contracts related to such project; and

WHEREAS, on May 8, 2007 this Board enacted Ordinance No. 07-65 (codified in Sections 9-71 through 9-75 of the Code) creating the Sustainable Buildings Program for buildings owned, financed and/or operated by the County; and

WHEREAS, this Board desires to amend Section 2-8.2.10 of the Code to provide that if a project funded in whole or in part by BBC GOB Funds is constructed by any municipality on behalf of the County, the provisions of Sections 9-71 through 9-75 of the Code shall apply to such project unless the municipality elects to apply the requirements of its own sustainable building program to the contracts related to such project,

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA:

Section 1. Section 2-8.2.10 of the Code of Miami-Dade County, Florida is amended as follows:¹

Section 2-8.2.10 Procurement policy as to contracts related to projects funded in whole or in part by Building Better Communities General Obligation Bond Program Funds.

- (1) Notwithstanding and prevailing over any other provision of the Code of Miami-Dade County, Florida to the contrary, as to contracts related to projects constructed by any municipality and funded in whole or in part by Building Better Communities General Obligation Bond Program funds, municipalities shall use their own procurement procedures, including bid waivers where permitted by municipal ordinance; provided, however, if a project funded in whole or in part by Building Better Communities General Obligation Bond Program funds is constructed by any municipality on behalf of the County, the provisions of >>Sections 9-71 through 9-75,<< Section 2-10.4.01 and Section 10-33.02, respectively, shall apply to such project unless the municipality elects to apply the requirements of its own >>sustainable buildings program and/or<< small business program(s) >>, as applicable,<< to the contracts related to such project.

Section 2. If any section, subsection, sentence, clause or provision of this ordinance is held invalid, the remainder of this ordinance shall not be affected by such invalidity.

Section 3. It is the intention of the Board of County Commissioners, and it is hereby ordained that the provisions of this ordinance, including any Sunset provision, shall become and be made a part of the Code of Miami-Dade County, Florida. The sections of this ordinance may

¹ Words stricken through and/or [[double bracketed]] shall be deleted. Words underscored and/or >>double-arrowed<< constitute the amendment proposed. Remaining provisions are now in effect and remain unchanged.

be renumbered or re-lettered to accomplish such intention, and the word "ordinance" may be changed to "section," "article," or other appropriate work.

Section 4. This ordinance shall become effective 10 days after the date of enactment unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

PASSED AND ADOPTED:

Approved by County Attorney as
to form and legal sufficiency:

Imcey
GBK

Prepared by:

Geri Bonzon-Keenan

Sponsored by Commissioner Katy Sorenson